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Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

February 9, 2011

Re: Notice of *Ex Parte* Presentation

RE: Docket Nos. 10-207, 09-158, 98-170, 04-36

Dear Ms. Dortch,

This letter is to advise you, in accordance with Section 1.1206(b) of the Commission's rules, that on February 8, 2011, Chris Riley and Joel Kelsey of Free Press met with Joel Gurin, Lynn Ratnavale, Rebecca Hirselj, Richard Smith, Nancy Stevenson, Kurt Schroeder, William Freedman, and Arthur Scrutchins of the Consumer and Governmental Affairs Bureau; Matthew Warner of the Wireline Competition Bureau; and Nicole McGinnis and Nese Guendelsberger of the Wireless Telecommunications Bureau.

We discussed the Commission's pending proceedings related to truth-in-billing in communications services, including wireless services and multichannel video programming services, and including specific issues such as bill shock as well as general issues such as what information is currently disclosed in consumer advertisements, point-of-sale documents, and monthly bills, and what should be required to be disclosed that is not currently universally disclosed. Consistent with our past filings and presentations in these proceedings, we presented our position that current industry practice on disclosures generally falls short of what would be required to promote a consumer- and competition-friendly market. In particular, disclosures at the point of sale and on monthly bills do typically present some information on early termination fees and base service prices, but this information does not universally include a breakdown of updated early termination fees over time, nor does it include a true, non-promotional expected monthly service price including all taxes and fees. Furthermore, this information is not presented in a clear, consistent, and universally standardized format that would truly enable consumers (those fortunate enough to have meaningful options) to compare the services offered by a range of providers. We noted as well that terms of service provided by many providers, particularly in the wireless sector, are vague and broad, and fail to reflect the actual limitations and restrictions on service that a consumer would face. We noted that improved disclosure will help consumers, but will not solve the competitive problems present in the wireless market that discourage consumer choice, including high early termination fees, exclusive handset deals, high special access service costs, disparities in spectrum ownership, and obstacles to efficient data roaming.

Additional information presented in the meeting can be found on pages 20-23 of our joint October 28, 2009 reply comments on truth-in-billing (presenting a detailed list of information helpful to consumers at various stages of their service); pages 7 and 10-11 of our joint February 8, 2011 reply comments on Bill Shock (discussing the feasibility of the proposed mandate and our openness to a relaxed implementation timetable for smaller wireless carriers); and pages 3 and 5 of the attached January, 2010 testimony from Joel Kelsey (concerning the problems faced by consumers in making choices of providers and services, and on the need for clear, conspicuous, and consistent disclosure as a remedy).

Sincerely,

/s/ Chris Riley

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